

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RYDEX, LTD.

Plaintiff,

v.

FORD MOTOR COMPANY,
ET AL.

Defendants.

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CAUSE NO.: 4:11-cv-0122

JURY TRIAL DEMANDED

JOINT MOTION FOR DISMISSAL WITH PREJUDICE

The plaintiff, Rydex, Ltd., and defendant, Mitsubishi Motors North America, Inc., pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action asserted between them WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys fees.

January 11, 2013

Respectfully submitted,

/s/ Charles Gorenstein

Charles Gorenstein

(Admitted *Pro Hac Vice*)

cg@bskb.com

Ali M. Imam

(Admitted *Pro Hac Vice*)

ami@bskb.com

BIRCH STEWART KOLASCH & BIRCH,
LLP

8110 Gatehouse Road

Suite 100 East

Falls Church, Virginia 22042

Ph. (703) 205-8000 Main

Fax (703) 205-8050 Fax

ATTORNEYS FOR DEFENDANT

Mitsubishi Motors North America, Inc.

/s/ Stephen F. Schlather

Stephen F. Schlather – Lead Counsel

Texas Bar No. 24007993

John J. Edmonds

Texas Bar No. 789758

COLLINS, EDMONDS, SCHLATHER,
TOWER & POGORZELSKI, PLLC

1616 S. Voss Road, Suite 125

Houston, Texas 77057

Telephone: (281) 501-3425

Facsimile: (832) 415-2535

sschlather@cepiplaw.com

jedmonds@cepiplaw.com

ATTORNEYS FOR PLAINTIFF

Rydex, Ltd.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

January 11, 2013

/s/ Stephen F. Schlather
Stephen F. Schlather